

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

Jose M. V. Rodrigues,

Petitioner,

v.

CIVIL ACTION
NO. 04-10415-WGY

Joseph M. McDonough, Sheriff of Plymouth County,
and Department of Homeland Security

Respondents.

O R D E R

YOUNG, C.J.

On March 1, 2004, petitioner Jose M. V. Rodrigues, an immigration detainee currently confined at Plymouth County Correctional Facility, filed a petition for a writ of habeas corpus under 28 U.S.C. § 2241, but did not submit either the \$5 filing fee or an application to proceed without prepayment of fees.

ACCORDINGLY,

(1) Petitioner is directed to either pay the \$5 filing fee or submit an application to proceed without prepayment of fees within 28 days of receiving this order;

(2) The Clerk of this Court shall serve a copy of the Petition, by certified mail, upon (i) Sheriff Joseph F. McDonough, Plymouth County Correctional Facility, 26 Long Pond Road, Plymouth, MA 02360; (ii) the United States Attorney; and (iii) Frank Crowley, Department of Homeland Security, Special Assistant United States Attorney, P.O. Box 8728, JFK Station, Boston, MA 02114;

(3) The Clerk shall send petitioner a copy of the application to proceed without prepayment of fees;

(4) The Respondent shall, within 28 days of receipt of this Order, file an answer or other responsive pleading; AND

(5) The Respondent shall provide the Court with at least 48 hours advance notice of any scheduled deportation or removal of petitioner.

SO ORDERED.

3/10/04
Date

William G. Young
United States District Judge

(2241servINS.wpd - 09/00)

[2241serv.]